

**REMARKS**

Claims 1-24 are in the application.

Claims 1-3, 5, 8, 13-16, and 21-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hampton (5,682,848) in view of Wagner (4,823,747). The Examiner states that regarding Claims 1, 8, 13 and 23, Hampton discloses a method of assembly and an internal combustion engine cylinder head camshaft bearing ladder including, inter alia, a pocket formed therein, which the Examiner identifies as numeral 15. The Examiner further states that Hampton shows a solenoid actuator positioned within a pocket for actuating a switchable rocker arm assembly. The Examiner admits that Hampton fails to disclose a threaded connection of a body to a cylinder head and to specifically disclose a solenoid pocket as an integral part of the camshaft bearing ladder. The Examiner argues that it would have obvious to one of ordinary skill at the time the invention was made to modify Hampton's device by using a threaded connection to secure the body on the cylinder head and that it would have been obvious to make a solenoid housing an integral part of a cam bearing in order to hold the solenoid actuator in place. Applicants respectfully traverse this rejection and request that each of Claims 1, 8, 13 and 23 be reconsidered in view of these remarks and passed to issue over the Examiner's rejection.

The Examiner's assertion that Hampton contains a bearing ladder is in error. There is simply no evidence that Hampton concerns anything regarding a camshaft bearing ladder -- Hampton discloses camshaft mounting structures, but these appear to be conventional, separable caps. Furthermore, the Examiner's assertion that Hampton has a camshaft bearing ladder with a pocket formed therein, identified by the Examiner as numeral 15 is in error; numeral 15 refers to Hampton's solenoid housing, not to a pocket in a camshaft bearing ladder.

The Examiner's further assertion that it would have been obvious to make a pocket serving also as a solenoid housing as an integral part of a cam bearing is also contrary to the point, because Applicants do not have a solenoid actuator housed solely within a pocket formed within a camshaft bearing ladder. Rather, Applicants clearly show a separate solenoid housing for their device, which is housed within a separate pocket formed within the camshaft bearing ladder. As a result, Hampton cannot comprise a colorable basis for rejection of Claims 1, 8, 13 and 23, and each of these patent claims should be passed to issue over the Examiner's rejection. Such action is earnestly solicited.

Concerning Claims 2, 3, 14-16, and 21, the Examiner argues that Hampton in view of Wagner discloses the claimed invention except for a plurality of solenoid/camshaft/cutouts. The Examiner argues that it would have been obvious to one having ordinary skill in the art at the time the invention was made to duplicate the number of solenoid/camshaft actuators depending on the number of valves in the engine. Applicants respectfully traverse this rejection and request that each of Claims 2, 3, 14-16 and 21 be reconsidered in view of these remarks and passed to issue over the Examiner's rejection. As noted above, Hampton does not disclose a pocket within a camshaft bearing ladder for housing a solenoid actuator for activating a switchable rocker arm assembly. Neither, for that matter does Wagner make such disclosure. In this case, Claims 2 and 3 are dependent from Claim 1, whereas Claim 14 is dependent from Claim 13 which incorporates the previously described limitations, as does Claim 21. As a result, Claims 2, 3, 14-16 and 21 are allowable over the combination of Hampton in view of Wagner, because neither Hampton nor Wagner, whether taken singly or in combination with each other, either teach or suggest Applicants' claimed invention. As a result, each of Claims 2, 3, 14-16 and 21 is allowable over Examiner's rejection and should be passed to issue over the Examiner's rejection.

Regarding Claim 3, the Examiner states that Wagner discloses a plurality of cut outs for reception of a plurality of camshafts. Nevertheless, Claim 3 is dependent on Claim 1 which is allowable over Hampton in view of Wagner for foregoing reasons and Claim 3 is similarly allowable over Examiner's rejection.

Regarding Claim 5, the Examiner states that Hampton discloses a solenoid actuator has leads connected with an integrated circuit board. Applicants respectfully traverse this rejection on the grounds that Hampton shows a control unit 51 and is silent regarding the presence of an integrated circuit board.

Regarding Claim 22, the Examiner argues that Hampton discloses a method for assembling a portion of a solenoid actuator to a dual operational rocker arm assembly, including connecting a solenoid actuator located in a pocket of a camshaft bearing ladder. Applicants respectfully traverse this rejection on the grounds that Hampton fails to disclose a camshaft bearing ladder and further fails to disclose a pocket formed in a camshaft bearing ladder for receivingly mounted camshaft on the side of a camshaft (sic). As a result, Claim 22 is allowable over the Examiner's rejection and should be passed to issue. Such action is earnestly solicited.

Claims 4, 9 and 10 stand rejected under 35 U.S. C. 103(a) as being unpatentable over Hampton in view of Wagner and further in view of Jahr (6,318,318). The Examiner states that Hampton in view of Wagner discloses the claimed invention except it lacks a solenoid actuator encapsulated by a polymeric material or epoxy resin, which the Examiner asserts is disclosed in Jahr. Applicants respectfully traverse this rejection on the grounds that neither Hampton nor Wagner nor Jahr, whether taken singly or in combination with each, either teach nor suggest the claimed invention, including a solenoid actuator positioned within a pocket formed within a camshaft bearing ladder. This is true regardless of the material used to encapsulate the solenoid actuator. As a result each of Claims 4, 9 and 10 is allowable over the Examiner's rejection and should be passed to issue. Such action is earnestly solicited.

Claims 5-7, 11, 12, 17-20 and 24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hampton in view of Wagner and further in view of Yoeda (6,405,693). The Examiner argues that Hampton in view of Wagner discloses a control unit or "integrated circuit boards." However, he admits that Wagner fails to disclose a sealable connection (a pass through connection). However the Examiner argues that Yoeda discloses a control mechanism that shows the use of a solenoid in connection with a driving circuit controlled by an external output circuit and therefore bases his rejection upon the combination of Hampton, Wagner and Yoeda. Applicants respectfully traverse this rejection on the grounds that neither Hampton nor Wagner nor Yoeda, whether taken singly or in combination with each other, either teaches or suggests the claimed invention of a camshaft bearing ladder having a pocket formed therein for a solenoid for controlling a switchable rocker arm. As a result, each of Claims 5-7, 11, 12, 17-20 and 24 are allowable over the Examiner's rejection and should be passed to issue over the rejection. Such action is earnestly solicited.

The Examiner's assertion that his reading of the work 'pocket' includes a solenoid housing is in error. He is referred in this matter to the language of Applicants' claims wherein a body which receivingly mounts a camshaft has a pocket within which a solenoid actuator is positioned. This body is a camshaft bearing ladder. Thus, Applicants claim a camshaft bearing ladder having a pocket for a solenoid actuator, with the pocket being formed in the camshaft bearing ladder. The Examiner cannot show that such a construction was either in the prior art or an obvious modification of cited prior art. As a result, each of the claims in this case is

allowable over the Examiner's rejection and should be passed to issue. Such action is earnestly solicited.

Dykema Gossett PLLC

By: 

Jerome R. Drouillard

Registration No. 28,008

2723 South State Street, # 400

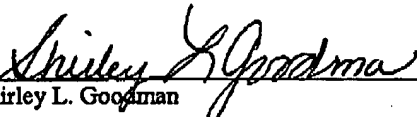
Ann Arbor, MI. 48104

(734) 214-7670

Dated : May 23, 2005

CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being sent via central fax # (703) 872-9306 to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23<sup>rd</sup> day of May, 2005.

  
Shirley L. Goodman